

03-28-05

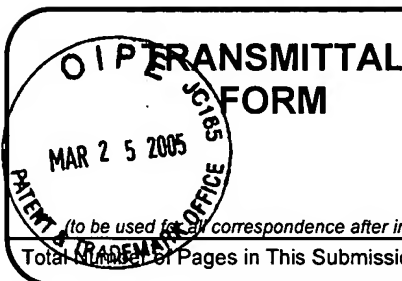
PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

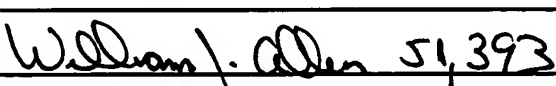
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

LFW

	Application Number	10/611,458
	Filing Date	July 1, 2003
	First Named Inventor	Johnston
	Art Unit	3624
	Examiner Name	Charles Kyle
	Attorney Docket Number	006119.00007
Total Number of Pages in This Submission		

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Make Special <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): From PTO/SB/08a Copies of cited References Return Receipt Postcard Certificate of Express Mail
Remarks The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Charles L. Miller		
Date	March 25, 2005	Reg. No.	43,805

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

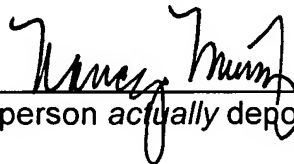


CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail No. EV 407313905 US

Deposited March 25, 2005

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
(person actually depositing)

In the Application of: Scott Johnston, et al.

Serial No.: 10/611,458

Filing Date: July 1, 2003

Title: DERIVATIVES TRADING METHODS THAT USE A VARIABLE ORDER
PRICE AND A HEDGE TRANSACTION

- X Transmittal Form PTO/SB/21 (in duplicate)
- X Information Disclosure Statement
- X Form PTO/SB/08A (3 pages)
- X Copies of non-patent references
- X Return Postcard

Attorney Docket No. 006119.00007



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 006119.00007)

In re U.S. Patent Application of: Johnston)
Application No. 10/611,458) Examiner: Charles Kyle
Filed: July 1, 2003) Group Art Unit: 3624
For: DERIVATIVES TRADING)
METHODS THAT USE A VARIABLE)
ORDER PRICE AND A HEDGE)
TRANSACTION)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR §§1.97-1.98, Applicants wish to make the following references listed on the enclosed Form PTO/SB/08a of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 CFR §1.56.

Applicants believe there is no fee due in connection with this Information Disclosure statement, however, the Commissioner is hereby authorized to charge any fees that may be due or credit any overpayment of fees to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated: March 25, 2005

By: William J. Allen 51,393
Charles L. Miller
Registration No. 43,805
BANNER & WITCOFF, LTD.
10 South Wacker Drive
Suite 3000
Chicago, IL 60606
Telephone: 312-463-5000



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/611,458
Filing Date	July 1, 2003
First Named Inventor	Johnston
Art Unit	3624
Examiner Name	Charles Kyle
Attorney Docket Number	006119.00007

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 2003/0216932	11/20/2003	Foley	
		US- 2003/0220868	11/27/2003	May	
		US- 2002/0128955	09/12/2002	Bradley	
		US- 2002/0138390	09/26/2002	May	
		US- 2002/0156719	10/24/2002	Finebaum	
		US- 2002/0169703	11/14/2002	Lutnick	
		US- 2002/0174055	11/21/2002	Dick	
		US- 2003/0097328	05/22/2003	Lundberg	
		US- 2003/0101125	05/29/2003	McGill	
		US- 2003/0093360	05/15/2003	May	
		US- 2003/0083978	05/01/2003	Brouwer	
		US- 2003/0115128	06/19/2003	Lange	
		US- 2003/0061148	03/27/2003	Alavian	
		US- 2002/0002530	01/03/2002	May	
		US- 2001/0032163	10/18/2001	Fertik	
		US- 2001/0034695	10/25/2001	Wilkinson	
		US- 2001/0042036	11/15/2001	Sanders	
		US- 2001/0044771	11/22/2001	Usher	
		US- 2003/0069836	04/10/2003	Penney	
		US- 2002/0018760	02/07/2002	Pathak	
		US- 2002/0069155	06/06/2002	Nafeh	
		US- 2002/0099651	07/25/2002	May	
		US- 2002/0116317	08/22/2002	May	
		US- 2003/0004853	01/02/2003	Ram	
		US- 2003/0028476	02/06/2003	Jenkins	
		US-2003/0023536	01/30/2003	Hollerman	
		US- 2003/0033212	02/13/2003	Sandhu	
		US- 5,924,082	07/13/1999	Silverman	
		US- 6,018,722	01/25/2000	Ray	
		US- 5,950,176	09/07/1999	Keiser	
		US- 6,236,972	05/22/2001	Shkedy	
		US- 6,317,727	11/13/2001	May	
		US- 6,321,212	11/20/2001	Lange	
		US- 6,347,307	02/12/2002	Sandhu	
		US- 6,421,653	07/16/2002	May	
		US- 6,505,174	01/07/2003	Keiser	
		US- 6,618,707	09/09/2003	Gary	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Single Integrated Architecture" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.sungard.com/products and services/stars/panorama/solutions/panoramatechnologyvandinfrastr	
		Senior, Adriana. "Morgan Buying Into Network For On-Line Security Trades" [retrieved on 2005/03/25] Retrieved from the internet <URL :http://proquest.uni.com/pqdlink?index=26&sid=1&srchmode=3&vinst=PROD&fmt=3&st	
		Ostrovsky, Arkady. "Working towards a seamless link: Global Protocol" [retrieved on 2005/03/25] Retrieved from the internet <URL :http://proquest.uni.com/pqdlink?index=1&sid=1&srchmode=1&vinst=PROD&fmt=3&sta	
		"Case Study: BSE implements intelligent switching architecture Combining networks intelligently" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.networkmagazineindia.com/200302/case2.shtml	
		"BSE The Stock Exchange, Mumbai Network Diagram" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://	
		Domowitz, Ian. "Electronic Derivatives Exchanges: Implicit Mergers, Network Externalities, and Standardization" The Quarterly Review of Economics and Finance, Vol. 35, No. 2, Summer, 1995, p. 163-175	
		"Derivatives Drive New Network" Barron's, Nov. 4, 1991: 71, 44: ABLINFORM Global, p. 36	
		"NYFIX, Inc. Routes OTC Orders to American Stock Exchange [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=SVBIZINK3.story&STORY=/www/story/11-24-2	
		"Trading and Decision Support" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.sungard.com/products_and_services/stars/panoram/solutions/panoramatrading.htm	
		"Orc Technology" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.orcsoftware.com/Technology/index.htm	
		"Creditex widens access" [retrieved on 2004/03/29] Retrieved from the internet <URL:http://www.efinancialnews.com/index.cfm?...on=print_view&passedref=8000000000002212	
		Treanor, Jill. "Banks plan trading network for \$52 trillion derivatives" [retrieved on 2004/03/18] Retrieved from the internet <URL :http://www.guardian.co.uk/business/story/0,3604,178019,00.html	
		"OnExchange Selects Exodus to Host Online Derivatives Exchange; Leading Online Derivatives Exchange Optimizes Network Performance by Selecting Leader in Complex Internet Hosting" [retrieved on 2004/03/25] Retrieved from the internet <URL :http://www.findarticles.com/cf_0/m0EIN/2000_Nov_7/66657629/pl/article.jhtml	
		"ExNet Network" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/ExNetPIPNetwork.htm	
		"Orc Futures" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/OrcFutures.htm	
		"Orc Liquidator" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/OrcLiquidator.htm	
		[retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.wstonline.com/printableArticle/?jsessionid=NA3QPNTTNKCOIQSNDBCCK...	
		[retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.wstonline.com/printableArticle/?jsessionid=ILJHDTNYRJNVMSNDBCCKHY?doc id=14...	
		"Press Releases" [retrieved on 2004/03/18] Retrieved from the internet <URL:http://www.swapswire.com/press/10_04_00.asp	
		"Single Integrated Architecture" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.sungard.com/products and services/stars/panorama/solutions/panoramatechnologyvandinfrastr	
		"The integrated, real-time solution for bank treasure and portfolio management" SunGard Securities Processing	
		"Panorama EQN" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.sungard.com/products_and_services/stars/panorama/solutions/panoramaotcdistribution.htmr	
		"Chicago Board of Trade certifies Orc Software for its electronic trading platform" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Company/PNR/PNR 031106 e-shot eng.htm	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"X_Trader Platform "" [retrieved on 2004/03/18] Retrieved from the internet URL< http://www.tradingtechnologies.com/blue_xtrader.html	
		"X_Trader TT Net "" [retrieved on 2003/12/05] Retrieved from the internet URL< http://www.tradingtechnologies.com/blue_net.html	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.